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Chair: Mr. Gunnarsson ..... (Iceland)

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The meeting was called to order at 3.05 p.m.

Agenda item 70: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*) (A/C.3/72/L.56/Rev.1)

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

Draft resolution A/C.3/72/L.56/Rev.1: Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

1. **The Chair** invited the Committee to continue its discussion subsequent to the adoption of the draft resolution.

2. **Ms. Brooks** (United States of America) said that her country unequivocally condemned the glorification of Nazism and all forms of racism, xenophobia, discrimination and related intolerance. It was therefore with regret that her delegation, which had called for the vote, had been obliged to vote against the draft resolution. As in previous years, it had been concerned about the draft resolution's overly narrow scope and politicized nature, its calls for unacceptable limits on the fundamental freedom of expression, and the vague references and terminology used, which had been employed by Governments to inappropriately target political opponents and undermined the ability of civil society to draw attention to human rights abuses in their country.

3. Her country unreservedly condemned all forms of racial, religious and ethnic intolerance or hatred, and remained an active partner in promoting remembrance of the Holocaust and other genocides and bringing perpetrators of such atrocities to justice. It remained convinced that free speech was the best antidote to offensive speech and had established robust legal mechanisms to protect individual liberties and defend against discrimination and violence. The United States intended to work with likeminded States to propose an alternative approach for the following year rather than accepting the draft resolution and its fundamental flaws as the only platform on that important matter. In so doing, it would emphasize that Governments should address intolerance through a combination of robust legal tools, outreach and education, and vigorous defence of human and civil rights and fundamental freedoms.

4. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union; the candidate countries Armenia, Montenegro and the former Yugoslav Republic of Macedonia; and, in addition Georgia and the Republic of Moldova, said that the European Union remained fully committed to the global fight against racism, racial discrimination, xenophobia and related intolerance. The fight against contemporary forms of all extremist and totalitarian ideologies, including neo-Nazism, must be a priority for the entire international community, including through the full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. The European Union continued to believe that all contemporary forms of racism and discrimination should be addressed in an impartial, balanced and comprehensive way in the draft resolution, with a clear focus on human rights.

5. The European Union welcomed the open and participatory informal consultations on the draft resolution, and the fact that some of its proposals had been taken into consideration. It also acknowledged the inclusion of a paragraph on the role of national human rights institutions, the language of which had unfortunately been weakened during the negotiations. Nevertheless a number of concerns remained, and several European Union proposals including compromise language had been dropped. Furthermore, the language of problematic paragraphs for the European Union had, in some instances, been strengthened. It was regrettable that the draft resolution continued to place emphasis on issues unrelated to combating racism and discrimination. Centring the fight against racism on the teaching of history, monuments, memorials or erroneous references to national liberation movements or other politically-motivated issues fell outside the scope of the human rights agenda and aimed to monopolize the fight against Nazism through a one-sided view of history, as shown by attempts to justify the Molotov-Ribbentrop Pact. The European Union paid tribute to the historic role of the allied forces in the defeat of Nazism during the Second World War, whose end had brought painful divisions in many European countries, occupation and more crimes against humanity rather than freedom. It was therefore regrettable that the proposal to include references in the draft resolution to all totalitarian regimes had not been taken on board.

6. The European Union reiterated its concern about language that addressed too restrictively the right to freedom of expression, peaceful assembly and association, as enshrined in the International Covenant on Civil and Political Rights. It stood ready to continue to engage constructively and in a spirit of transparency on those concerns in order to address all forms of racism and discrimination in a comprehensive and unbiased manner. For all those reasons, the European Union had abstained from the vote.

7. **Ms. Kirianoff Crimmins** (Switzerland), speaking also on behalf of Australia, Iceland, Liechtenstein and Norway, said that those countries strongly supported the fight against racism, racial discrimination, xenophobia and related intolerance, including Nazism and neo-Nazism, and considered any form of racial discrimination as a serious human rights violation. They had ratified the relevant international conventions and fully supported the work of United Nations bodies and the Council of Europe in that area. The increase in instances of discrimination, intolerance and extremist violence motivated by anti-Semitism, Islamophobia, Christianophobia and prejudice against persons of other religions and beliefs, as well as the activities of extremist political parties in many countries, were indeed reasons for concern.

8. While the draft resolution contained some very important elements, which contributed to the fight against racism, racial discrimination, xenophobia and related intolerance, it was regrettable that changes proposed by delegations to broaden its scope had not been sufficiently taken on board. The timeliness of adopting such a resolution was questionable, as many current forms of racial discrimination and xenophobia did not have their roots in Nazi ideology. Also, paragraphs which de facto restricted the rights to freedom of peaceful assembly, association, opinion and expression, were cause for concern. A careful balance must be struck between freedom of expression and the fight against racism, as reflected in consensus resolutions adopted by the General Assembly and by the Human Rights Council. Efforts to encourage the free exchange of ideas contributed to a well-informed and politically mature population able to decide for itself where hate speech began and freedom of expression ended. For those reasons, those five countries had abstained from the vote.

9. **Ms. Pritchard** (Canada) said that her country unequivocally condemned any form of racism, racial discrimination, xenophobia or related intolerance, including Nazism and neo-Nazism. It had ratified the relevant international conventions, and was fully committed to their implementation, and urged those States that had not already done so to ratify the International Convention on the Elimination of all Forms of Racial Discrimination. Far too many people around the world continued to be denied their human rights simply because of the colour of their skin or their ethnic background.

10. The draft resolution adopted at the previous meeting contained important elements contributing to the fight against racism, racial discrimination, xenophobia and related intolerance, including new references in the text to the importance of inclusion. It was regrettable, however, that changes proposed by numerous delegations to broaden the scope of the resolution and ensure its full alignment with internationally recognized human rights had not been sufficiently addressed during negotiations.

11. Although Canada agreed in substance with many aspects of the amendment proposed by the United States, the proposal had not fully addressed all of her country's long-standing concerns regarding the draft resolution, including its narrow scope. Canada hoped that such issues could be addressed in the future through transparent, participatory and inclusive negotiations. For those reasons, Canada had abstained from the vote.

12. **Ms. Velichko** (Belarus) said that while proponents of Nazi ideology had been justly punished by international tribunals at the end of the Second World War, their ideas had endured and freedom of opinion was being used as cover for efforts to promote violence and interethnic and religious hatred. Current generations owed their existence to the victors of that war, so it was painful to watch the destruction of memorials that honoured past unity in the struggle against fascism. Belarus categorically rejected attempts to rewrite history, glorify Nazism and militant nationalism and sully the memory of those who had made great sacrifices to free Europe from Nazi occupation. Remembering the past served the living, not the dead, as it helped to teach the next generation to be grateful and love peace. Belarus had been one of the war's greatest victims, leading it to become one of the founding Members of the United Nations, and it strove to build peace in its region. Her country had therefore voted in favour of the resolution.

13. **Mr. Mikayilli** (Azerbaijan) said that Azerbaijan had supported the draft resolution to honour the memory of all who had made the ultimate sacrifice to save humanity from Nazism and fascism, including several hundred thousand Azerbaijanis. His country shared the determination of the international community to raise awareness of and stand against Nazi-inspired ideologies that continued to threaten international peace and stability, endanger harmony and understanding and the enjoyment of human rights and fundamental freedoms. The re-emergence of Nazi-inspired parties raised serious concern, especially when such parties were in power.

14. Azerbaijan expressed its deep concern over the promotion by Armenia of Nzhdeism, the racist ideology of a staunch Nazi collaborator and Waffen SS General, Garegin Nzhdeh. It was an ideology that fostered irrational sentiments, including the superiority of the

Armenian people, a drive towards territorial expansion and a preference for war over peace. Garegin Nzhdeh and other Nazi collaborators were promoted by the Government of Armenia. The ruling Republican Party openly the acknowledged Nzhdeism as a national ideology and it formed part of the school curriculum. A monument to Nzhdeh had been unveiled in the presence of high-ranking Armenian officials. Such racist and extremist ideologies were used by Armenian leaders to wage war against Azerbaijan and to carry out ethnic cleansing against Azerbaijanis.

15. Armenia's sponsorship of the draft resolution was but another unsuccessful attempt to hide all manifestations of racism, racial discrimination, xenophobia and related intolerance in the country, in particular the glorification of those who had collaborated with the Nazi movement in the commission of war crimes and crimes against humanity.

16. **Ms. Grigoryan** (Armenia) said that her country, which traditionally sponsored the draft resolution, reiterated its strong commitment to the global fight against racism, racial discrimination, xenophobia and related intolerance. The institutionalization of racism by openly encouraging discrimination and violence against other ethnic or religious groups, nations or races, or their specific representatives, constituted the most dangerous form of the dissemination of hatred and racism. Azerbaijan, for its part, persistently inspired hatred and intolerance against Armenians and glorified as a national hero Ramil Safarov who had murdered an Armenian officer in his sleep during a training exercise. It encouraged the perpetration of numerous crimes against Armenians, and images of beheadings of carried out by Azerbaijani soldiers during Azerbaijan's aggression against Nagorno-Karabakh in April 2016 had been circulated in the media.

17. Armenia, which had suffered the first genocide in the twentieth century, had direct experience of the consequences of racism and ideology. It would continue to fight Nazism and all forms and manifestations of intolerance, racism and ideologies that risked the perpetration of crimes against humanity and genocide. Armenia had been promoting the prevention of genocide as a very important function of the international community and the United Nations, and would continue to do so.

18. **Mr. Yaremenko** (Ukraine), speaking an explanation of vote after the voting, said that his country had paid a very high price in its contribution to the victory over Nazism: over eight million Ukrainians had lost their lives in the Second World War. Ukraine strongly condemned all forms of Nazism, neo-Nazism and other practices that contributed to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance. However, the draft resolution had nothing in common with that struggle but rather reflected a manipulation of history and the essence of the Nuremberg Tribunal in pursuit of aggressive political interests. Bearing in mind the secret Molotov-Ribbentrop Pact of 1939, Ukraine had suggested a number of edits to the draft resolution during the negotiation process, from a balanced and impartial perspective in order to honour all victims of totalitarian regimes and to ensure the memory of all victims of artificially created genocide, including the Holodomor famine. However, that approach had been rejected by the Russian Federation.

19. His delegation was surprised by the cynical attempt of the Russian Federation to present itself as a champion of the struggle against Nazism and neo-Nazism, all the while repeating crimes against entire nations, including Ukraine, by occupying the Crimea and invading the eastern part of the country. It was deeply concerned by the unprecedented rise in radicalism, hatred, enmity, aggressive nationalism, neo-Nazism and xenophobia in the Russian Federation fuelled by State-owned media outlets. Since the draft resolution had been motivated by propaganda, his delegation had voted against it.

Agenda item 67: Report of the Human Rights Council (*continued*)

Draft resolution A/C.3/72/L.62: Report of the Human Rights Council

20. **The Chair** said that the draft resolution contained no programme budget implications.

21. **Mr. Onanga Ndjila** (Gabon), introducing the draft resolution on behalf of the African Group, said that the Group attached importance to General Assembly resolution 60/251 and the resulting institution-building package that had served as the foundation of the Human Rights Council and its mandate. It was imperative for the Human Rights Council, as a subsidiary body of the General Assembly, to report on an annual basis to the Assembly. In that regard, the Group remained committed to ensuring that the provisions of subparagraphs 5 (c), 5 (i) and 5 (j) of resolution 60/251 were implemented. The establishment of the Human Rights Council was a milestone in the global efforts aimed at promoting and protecting human rights for all, based on genuine dialogue and constructive cooperation that avoided selectivity and double standards.

22. The universal periodic review remained the most notable mechanism to assist States in fulfilling their

human rights obligations and ensured equal treatment for all countries in the assessment of their human rights situations. The Group welcomed the third cycle of the universal periodic review and reaffirmed the need to preserve the mechanism's cooperative nature and the principle of dialogue. It was concerned that funding for the universal periodic review Voluntary Trust Fund remained modest; the Fund must be properly resourced to assist States in developing national capacity and expertise to implement accepted recommendations.

23. Non-discrimination and equality were cross-cutting principles related to the full realization of human rights and fundamental freedoms for all and were enshrined in the Charter of the United Nations and internationally agreed human rights instruments. The Group remained concerned at attempts to introduce in the United Nations notions that had no legal foundation in any human rights instruments, as such attempts delved into matters that fell within the domestic jurisdiction of States and ran counter to the principles of the sovereignty of States and of non-intervention contained in the Charter of the United Nations. Recalling the Vienna Declaration and Programme of Action, which had reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental human rights, he said that the Group welcomed the decision of the Human Rights Council in resolution 33/14 to appoint a Special Rapporteur on the right to development.

24. In discharging its mandate, the Human Rights Council must be guided by the principles of universality, objectivity and non-selectivity. The Group of African States had introduced the draft resolution to express its continuous support for the important work of the Council and looked forward to the adoption of the draft resolution by consensus, which would provide a message of strong support to the Council.

25. **Mr. Khane** (Secretary of the Committee) said that the Russian Federation had joined the sponsors.

26. **Ms. Velichko** (Belarus) said that the main achievement of the Human Rights Council had been the establishment of the universal periodic review mechanism to ensure the neutral monitoring of human rights situations in all countries without exception. By adopting numerous decisions and resolutions that were motivated by narrow national interests of individual countries with the sole purpose of exerting political pressure, the Council was heading down the same path that its predecessor, the United Nations Commission on Human Rights, had taken before it, resulting in the latter's dissolution. Country-specific resolutions devalued the universal periodic review and impeded cooperation relating to the protection of human rights. By rubber-stamping values and ideas that were foreign to the majority of States, promoting dubious social models and taking a take-it-or-leave-it approach to the adoption of most resolutions, the Council was undermining its own authority and sowing discord. Believing that the Council's report contained decisions that ran counter to the main principles of international cooperation, as reflected in the Charter of the United Nations and the Universal Declaration of Human Rights, her delegation requested a recorded vote on the draft resolution and would vote against it.

27. **Mr. Sparber** (Liechtenstein), speaking also on behalf of Australia, Canada, Iceland, New Zealand, Norway and Switzerland, said that those countries were strong supporters of the Human Rights Council and contributed actively to its work. Since its creation in 2006, the Human Rights Council had established itself as an authoritative voice in the promotion and protection of human rights, including through the universal periodic review process, its body of special procedures and close engagement with human rights defenders. In General Assembly resolution 65/281, an understanding had been reached on the institutional arrangements between the Human Rights Council and the General Assembly, pursuant to which the Third Committee would discuss recommendations contained in the report of the Human Rights Council, while it was the responsibility of the General Assembly plenary to take action on the report of the Council. It was disappointing that the draft resolution continued to disregard that understanding, by providing for the report to be taken note of in the Third Committee. Such action undermined the Council's mandate, which was regrettable.

28. **Ms. Kremer** (Israel) said that the Human Rights Council was mandated to be guided by the principles of universality, impartiality, objectivity and non-selectivity, and to work in a constructive, unbiased, transparent and non-politicized manner. However, those important principles were, unfortunately, not in evidence when Israel was on the agenda. The establishment of a special agenda item, the holding of seven special sessions, the adoption of over 70 country-specific resolutions, a biased special rapporteur, and an endless number of country reports reflected the Council's attitude towards Israel. Instead of focusing on the many pressing human rights situations around the world, and devoting its time and limited resources in direct proportion to the severity of a crisis, the Council chose, in the case of Israel, neglect the many people around the world who required urgent assistance.

29. It was crucial for the Human Rights Council to finally focus on its mandate to protect human rights.

Complaints had been made regarding the difficulties faced by the Council in managing its workload. Some had called for a reform to improve the functioning of the Council and avoid the situation faced by its predecessor. In that regard, a first step should be to review the resources allocated to the biased agenda item 7, which would enable the Council to better address the real and urgent concerns on which the international community should be focusing. For those reasons, Israel would vote against the resolution.

30. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union, said that the States members of the European Union had had concerns about the initiative since its inception, primarily on procedural grounds. By requesting the Committee to take note of the entire report of the Council, the draft resolution disregarded the agreement reached on the allocation of the report to both the plenary and the Third Committee. The Third Committee should consider and, when necessary, take action only on individual recommendations contained in the report of the Human Rights Council, not the report as a whole. Since the compromise reached in the General Assembly had been institutionalized as a result of the review of the Council's work, it had been the understanding of the European Union that the matter had been settled. It was therefore disappointing that the draft resolution continued to disregard that common understanding. It was sufficient to consider the report of the Human Rights Council in the plenary of the General Assembly. During the current session, the European Union had expressed its views on the work and functioning of the Council in that forum and had welcomed the opportunity to listen to the views of others on the Council's overall performance.

31. Given the questions that many Member States continued to have regarding the initiative, the European Union hoped that, in the future, open discussions would be held before a draft resolution was tabled under the agenda item. For those reasons, the States members of the European Union would abstain from the vote.

32. *A recorded vote was taken on draft resolution A/C.3/72/L.62.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Belarus, Israel.

Abstaining:

Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Haiti, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Italy, Japan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Myanmar, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan, Vanuatu.

33. *Draft resolution A/C.3/72/L.62 was adopted by 117 votes to 2, with 60 abstentions.*

34. **Ms. Simpson** (United States of America), speaking in explanation of vote, said that her country continued to view the draft resolution on the report of the Human Rights Council as procedurally unnecessary. In previous years, it had been used by some delegations in an attempt to undermine certain decisions of the Human Rights Council. More broadly, the United States strongly objected to the Council's disproportionate

focus on Israel and had concerns about certain other resolutions adopted over the previous year. The continued membership of some States with particularly poor human rights records undermined the credibility of the Council. On a positive note, the United States wished to highlight the important actions taken by the Council, including in renewing mandates on the human rights situations in the Democratic People's Republic of Korea, the Islamic Republic of Iran, Syria, as well as the fact-finding mission on Myanmar.

35. The Human Rights Council required serious reform at the procedural and institutional levels. All Member States should join efforts to that end with a view to restoring the Council's legitimacy as the world's defender of human rights. For those reasons, the United States had abstained from the vote.

36. **Ms. León Murillo** (Costa Rica) that Costa Rica fully supported the work of the Human Rights Council, its special procedures and the universal periodic review mechanism. As a country committed to human rights and the mechanisms of the Organization that promoted and protected those rights, Costa Rica believed that it was vital to preserve the work and decisions of the Human Rights Council. Nevertheless, her delegation had abstained from voting. It was her country's position that the report of the Human Rights Council should be considered in the General Assembly plenary, and that only the recommendations contained in the report should be considered by the Third Committee in accordance with subparagraph 5(j) of General Assembly resolution 60/251 and paragraph 6 of General Assembly resolution 65/281.

37. **Ms. Gebrekidan** (Eritrea) said that it was imperative for the Third Committee, as a subsidiary organ of the General Assembly, to discuss the report of the Human Rights Council in accordance with resolution 60/251. Her delegation's vote should not be interpreted in any way as an endorsement of the report of the Human Rights Council (A/72/53). Eritrea disassociated itself from section II of that report, which included resolution 35/35 on the situation of human rights in Eritrea that was politically motivated and went against the Council's mandate to promote human rights in a universal, objective and non-selective manner.

38. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran), speaking in explanation of vote, said that his country recognized the work of the Human Rights Council within the universal periodic review mechanism. However, certain States continued to engage in politicized actions and double standards, including the introduction of country-specific resolutions for certain countries. For that reason, his delegation had abstained from the vote.

39. **Ms. Thinn** (Myanmar) said that her country had disassociated itself from the adoption of Human Rights Council resolution 34/22 on the situation of human rights in Myanmar.

Agenda item 71: Right of peoples to self-determination (*continued*)

Draft resolution A/C.3/72/L.34: Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

40. **The Chair** said that the draft resolution had no programme budget implications.

41. **Mr. Quintanilla Román** (Cuba), introducing the draft resolution, made an oral revision to the text. In paragraph 14, the word "fifth" should be replaced with "sixth", and at the end of the same paragraph, "during the sixth session of the open-ended intergovernmental working group" should be replaced with "in the above-mentioned working group".

42. **Mr. Khane** (Secretary of the Committee) said that Angola, Chile, Dominican Republic, Ecuador, Egypt, India, Iran (Islamic Republic of), Peru, Saint Vincent and the Grenadines, Sierra Leone and United Republic of Tanzania had joined the sponsors.

43. *At the request of the representative of Estonia, a recorded vote was taken on draft resolution A/C.3/72/L.34, as orally revised.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan,

Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Colombia, Mexico, Switzerland, Tonga.

44. *Draft resolution A/C.3/72/L.34, as orally revised, was adopted by 127 votes to 52, with 4 abstentions.*

45. **Mr. Mazzeo** (Argentina) said that his Government fully supported the right to self-determination of peoples subjected to colonial domination and foreign occupation, in accordance with General Assembly resolutions 1514 (XV) and 2625 (XXV). The exercise of the right to self-determination required an active subject, namely a people subjected to alien subjugation, domination and exploitation, without which the right to self-determination was not applicable. The draft resolution just adopted should be interpreted and implemented in keeping with the relevant resolutions of the General Assembly and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

46. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union, said that the changes made to the text following consultations had consisted primarily of technical updates and the European Union therefore remained concerned about the draft resolution and its confusing approach to the mandate of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination. The working group should focus on the role and action of mercenaries, which were defined in international law, not on the activities of private military and security companies.

47. The European Union had proposed the deletion of several paragraphs and offered an alternative wording for paragraph 14, to help consolidate the direction of work agreed upon for a new intergovernmental working group to draft the content of an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies. Regrettably, those proposals had not been taken on board.

48. The confusion in the draft resolution was unhelpful and ran counter to the legitimate human rights concerns arising from the use of mercenaries and private military and security companies.

49. Lastly, the working group should be replaced by a United Nations independent expert regulating, monitoring and overseeing the activities of private military and private security companies, which would help establish conceptual clarity and consolidate the future work of the intergovernmental working group.

50. The European Union was unable to support the draft resolution as presented and hoped that its concerns could be addressed in future negotiations.

Draft resolution A/C.3/72/L.58: Universal realization of the right of peoples to self-determination

51. **Ms. Lodhi** (Pakistan), introducing the draft resolution, said that the founders of the United Nations had enshrined the principle of equal rights and self-determination in Article 1 of the Charter of the United Nations. That had provided a direction to the post-war world and given hope to many in their struggle against foreign occupation. The right to self-determination formed the bedrock of the most important human rights conventions and had been reaffirmed in numerous resolutions and declarations. It was the extensive exercise of that right during the second half of the twentieth century that had effectively closed the dark chapter of colonization and resulted in the emergence of many new nation-States. The General Assembly's consistent support for the draft resolution was commendable, reaffirming and reinforcing the continuing relevance of the right to self-determination, and it sent a strong signal of support from the international community to peoples around the world.

She hoped that the draft resolution would be adopted by consensus.

52. **Mr. Khane** (Secretary of the Committee) said that Angola, Bahrain, Bangladesh, Belize, Benin, Bolivia (Plurinational State of), Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, Comoros, Côte d'Ivoire, Ecuador, Egypt, El Salvador, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Jamaica, Kenya, Kyrgyzstan, Lesotho, Madagascar, Maldives, Mozambique, Nicaragua, Niger, Palau, Paraguay, Senegal, Sierra Leone, Somalia, South Africa, South Sudan, Suriname, Tajikistan, Tunisia, Uganda, United Republic of Tanzania, Yemen, Zambia and Zimbabwe had joined the sponsors.

53. *Draft resolution A/C.3/72/L.58 was adopted.*

54. **Mr. Bastida** (Spain) said that, while his delegation fully supported the draft resolution, it recognized that there were situations in which the administering Power and authorities of the territory that it had colonized had established a political relationship in their own interest and denied any colonial link while still claiming a so-called right to self-determination. That was a distortion of the Charter of the United Nations and of the relevant resolutions.

55. The original population of Gibraltar had had to leave the territory, whereas the current inhabitants were descendants of those installed by the occupying Power for military purposes. In such circumstances, Spain denied the existence of a right to self-determination protected under international law. The United Nations had deemed that the situation in Gibraltar compromised the territorial integrity of Spain and thus had repeatedly called for dialogue on the issue.

56. His country had submitted a proposal in the Fourth Committee in 2016 to share sovereignty of Gibraltar with the United Kingdom, which remained open. Spain had submitted its proposal not only as a historical claim, but also for the sake of the socioeconomic well-being of the area. On a recent visit to the neighbouring region, the Spanish Minister for Foreign Affairs had seen for himself the negative impact of the continuing existence of the colony on Spanish territory. It was therefore urgent for the United Kingdom and Spain to find a solution that was in keeping with United Nations principles.

57. History had shown that decolonization was possible if an administering Power had the political will to undertake it. Spain therefore reiterated its invitation to the United Kingdom to join negotiations.

58. **Ms. Simpson** (United States of America) said that the United States attached importance to the right to self-determination and had therefore joined consensus on the draft resolution. However, the text contained multiple misstatements of international law and was inconsistent with current State practices.

59. **Mr. Mazzeo** (Argentina) said that his Government fully supported the right to self-determination of peoples subjected to colonial domination and foreign occupation, in accordance with General Assembly resolutions 1514 (XV) and 2625 (XXV). The exercise of the right to self-determination required an active subject, namely a people under alien subjugation, domination and exploitation, without which the right to self-determination was not applicable. The draft resolution just adopted should be interpreted and implemented in keeping with the relevant resolutions of the General Assembly and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

60. **Ms. Jones** (United Kingdom), speaking in exercise of the right of reply, recalled that the United Kingdom had sovereignty over Gibraltar and the territorial waters surrounding it and that, as a separate Territory recognized by the United Nations and included since 1946 in its list of Non-Self-Governing Territories, Gibraltar enjoyed the rights accorded to it by the Charter of the United Nations. Her delegation also recalled that the people of Gibraltar enjoyed the right to self-determination. The 2006 Gibraltar Constitution, which was endorsed in a referendum by the people of Gibraltar, provided for a modern and mature relationship between Gibraltar and the United Kingdom. Her Government would not enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another State against their wishes and would not enter into sovereignty negotiations which they opposed. The United Kingdom was committed to safeguarding Gibraltar, its people and its economy. The Governments of the United Kingdom and Gibraltar remained firmly committed to the Trilateral Forum for Dialogue on Gibraltar as the most credible means of strengthening United Kingdom-Gibraltar-Spain relations for the benefit of all parties. Constructive and responsive engagement at the political level would enhance local cooperation. The United Kingdom regretted that the Government of Spain had withdrawn from those talks in 2012.

Agenda item 72: Promotion and protection of human rights (*continued*) (A/C.3/72/L.36/Rev.1)

Draft resolution A/C.3/72/L.36/Rev.1: International Day of Sign Languages

61. **The Chair** said that the draft resolution had no programme budget implications.

62. **Mr. Webson** (Antigua and Barbuda), introducing the draft resolution, said that it sought to raise awareness of sign language globally by proclaiming 23 September as the International Day of Sign Languages.

63. **Mr. Khane** (Secretary of the Committee) said that Afghanistan, Angola, Austria, Bangladesh, Belgium, Benin, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cameroon, Canada, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Finland, France, Ghana, Grenada, Guinea, Guinea-Bissau, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Lesotho, Libya, Madagascar, Malawi, Maldives, Montenegro, Mozambique, Namibia, Nicaragua, Nigeria, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, South Sudan, Sudan, Thailand, Timor-Leste, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Viet Nam, Yemen, Zambia and Zimbabwe had joined the sponsors.

64. *Draft resolution A/C.3/72/L.36/Rev.1 was adopted.*

65. **Ms. Simpson** (United States of America) said that her delegation wished to recall article 21 of the Convention on the Rights of Persons with Disabilities on freedom of expression and opinion, and access to information, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, including by recognizing and promoting the use of sign languages. In addition, her delegation understood the first and second preambular paragraphs of the draft resolution to be referring to the United Nations when citing "the Organization", and understood the reference in the first preambular paragraph to "goals" set out in Article 1 of the Charter of the United Nations to mean "purposes", as stated in the text of the Charter.

Agenda item 72: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/72/L.26/Rev.1, A/C.3/72/L.27, A/C.3/72/L.29/Rev.1, A/C.3/72/L.30, A/C.3/72/L.31, A/C.3/72/L.32/Rev.1 and A/C.3/72/L.33)

Draft resolution A/C.3/72/L.26/Rev.1: The right to development

66. **The Chair** said that the draft resolution had no programme budget implications.

67. **Mr. Quintanilla Román** (Cuba), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that it contained the just aspirations of peoples to development and prosperity. It was vital to find a solution to poverty and underdevelopment, which were also affecting more industrialized countries. With political will from all, in particular from the developed countries, and with relatively few resources, much more could be done to realize the right to development.

68. **Mr. Khane** (Secretary of the Committee) said that South Sudan had joined the sponsors.

69. **Ms. Simpson** (United States of America) said that in its commitment to alleviating poverty, her country collaborated with developing countries, other donor countries, non-governmental organizations and the private sector to achieve sustainable economic growth, poverty reduction and the full range of development objectives named in the Sustainable Development Goals. The United States also strongly supported the Secretary-General's development system reform efforts.

70. There was a strong link between human rights and development work. However, the United States had long-standing concerns about the concept of a right to development and had consistently objected to references to a right to development in General Assembly resolutions. Its concerns also applied to other draft resolutions being considered by the General Assembly during the current session. There was no commonly agreed definition of such a right and any definition must be consistent with human rights. Furthermore, the right to development had been framed by some delegations in ways that would seek to protect States rather than individuals. States were responsible for implementing the human rights obligations they had assumed, regardless of external factors such as the availability of development and other assistance. Accordingly, and because of other concerns related to specific provisions in the text, the United States requested a recorded vote and would vote against the draft resolution.

71. *A recorded vote was taken on draft resolution A/C.3/72/L.26/Rev.1.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of

Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Czechia, Denmark, Finland, France, Germany, Israel, Netherlands, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Estonia, Georgia, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine.

72. *Draft resolution A/C.3/72/L.26/Rev.1 was adopted by 133 votes to 10, with 38 abstentions.*

73. **Ms. Buist-Catherwood** (New Zealand), speaking also on behalf of Australia, Canada, Iceland, Norway and Switzerland, said that, although those countries had abstained from the voting, they recognized the existence of the right to development, in accordance with the Declaration on the Right to Development. Regarding the interplay of human rights and development, they considered the Vienna Declaration and Programme of Action to be the authoritative reference, which recognized that, while development facilitated the enjoyment of all human rights, a lack of development could not be invoked to justify the abridgement of internationally recognized human rights. They were pleased that the draft resolution continued to incorporate that element and also, for the first time, used language from article 8 of the Vienna Declaration. They noted with satisfaction that paragraph 7 of the draft resolution acknowledged that the outcome of the working group could take various forms. They noted the inclusion of paragraph 16, which affirmed that development might contribute significantly to the enjoyment of all human rights by all, which they interpreted in the light of the Vienna Declaration, and they noted that strong economic development did not automatically imply the full respect, protection and fulfilment of civil, political, economic, social and cultural rights. The human person was the central subject of development and should be the active participant and beneficiary of the right to development. A human rights-based approach to development could help address those challenges.

74. **Mr. Ríos Sánchez** (Mexico) said that his delegation had voted in favour of the draft resolution, given his country's participation in multilateral forums aimed at establishing instruments that fostered the creation of more inclusive, prosperous and sustainable societies. Nevertheless, to avoid the duplication of effort, the focus should be on finalizing the criteria and sub-criteria for realizing the right to development and on completing the working group's mandate before considering the development of a binding instrument. Some positive changes had been made to the text of the draft resolution in 2017. Mexico would be following the work of the recently appointed Special Rapporteur on the right to development with a view to ensuring that his work guided and complemented national efforts.

75. **Mr. Sparber** (Liechtenstein) said that, with the adoption of the 2030 Agenda for Sustainable Development, the international community had put into practice the vision enshrined in the Declaration on the Right to Development.

76. Liechtenstein recognized that it had been challenging in the past to discuss the right to development in a constructive way and was concerned by attempts to obscure the meaning of the right to development, which was the inalienable right of every individual to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms could be fully realized.

77. Unfortunately, some of the changes to the draft resolution had taken States further from, rather than closer to, greater consensus on the right to development. Unlike in previous years, therefore, his delegation had abstained from the voting. He hoped that future discussions would enable progress to be made again on what was an important issue.

78. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union and the candidate countries Albania, Montenegro and the former Yugoslav Republic of Macedonia, said that the European Union supported the right to development, which required that civil, political, economic, social and cultural rights be fully realized through a combination of policies. The primary responsibility for realizing the right to development, however, lay with States.

79. The European Union was concerned that the draft resolution represented a shift away from consensus on the issue. Despite efforts by the European Union and others, several constructive proposals, which would have allowed for greater consensus, had not been taken into account by the main sponsors. He encouraged the main sponsors to seek common ground in the future. In addition, the European Union was not in favour of a binding international legal standard, since it was not the appropriate mechanism for realizing the right to development. The European Union participated actively in the Working Group on the Right to Development in Geneva and stressed the importance of consensus in its deliberations.

80. The European Union was also concerned about references to Human Rights Council resolution 35/21 on the contribution of development to the enjoyment of all human rights. That resolution aimed to construct an unhelpful narrative that would elevate development above human rights, and selectively quoted from universally agreed instruments and documents. The European Union had accordingly voted against that resolution in the Human Rights Council. For those and other reasons, no member State of the European Union had supported the 2017 draft resolution on the right to development in the Third Committee.

81. As enshrined in article 10 of the Vienna Declaration and Programme of Action, development facilitated the enjoyment of all human rights but the lack of development could not be invoked to justify the abridgement of internationally recognized human rights. Sustainable development could not be achieved without the protection and fulfilment of all human rights. The European Union, which was the largest provider of official development assistance in the world, took a rights-based approach to development, according to which it aimed to strengthen and promote the realization of human rights while also contributing to improved quality and effectiveness of development outcomes.

82. Human rights were central to the 2030 Agenda, but the right to development, or any other right, could not be given primacy in its implementation. For too long, development had been considered in isolation to human rights, but the 2030 Agenda had provided an opportunity to move away from that approach. For the Sustainable Development Goals to succeed, there must be a real integration of all human rights, with sustainable development strategies taking into account their impact on individuals and their rights.

83. The European Union stood ready to engage constructively on the right to development and to pursue consensus in order to achieve a positive outcome for all concerned.

Draft resolution A/C.3/72/L.27: Human rights and unilateral coercive measures

84. **The Chair** said that the draft resolution had no programme budget implications.

85. **Mr. Quintanilla Román** (Cuba), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that the Movement was opposed to all unilateral coercive measures, especially when taken to exert political and economic pressure and when used against developing countries. The delegation of Cuba, as coordinator of the Working Group on Human Rights of the Movement of Non-Aligned Countries, asked Member States to reject the use of such measures by voting in favour of the draft resolution.

86. **Mr. Khane** (Secretary of the Committee) said that the Russian Federation had joined the sponsors.

87. **Ms. Simpson** (United States of America), speaking in explanation of vote before the voting, said that her delegation would vote against the draft resolution. It categorically rejected the premise of the draft resolution, which had no basis in international law and would not advance human rights. It was the responsibility of States to protect and promote human rights and fundamental freedoms. The draft resolution challenged the sovereign right of States to conduct their economic relations freely, protect national interests and respond to national security concerns. It was an attempt to undermine the international community's ability to respond to acts that were offensive to international norms. Unilateral and multilateral sanctions were a legitimate, non-violent means of achieving foreign policy, security and other national and international objectives.

88. *At the request of the representative of Estonia, a recorded vote was taken on draft resolution A/C.3/72/L.27.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

89. *Draft resolution A/C.3/72/L.27 was adopted by 128 votes to 53.*

Draft resolution A/C.3/72/L.28/Rev.1: Enhancement of international cooperation in the field of human rights

90. **The Chair** said that the draft resolution had no programme budget implications.

91. **Mr. Quintanilla Román** (Cuba) introduced the draft resolution on behalf of the Movement of Non-Aligned Countries.

92. **Mr. Khane** (Secretary of the Committee) said that Paraguay had joined the list of sponsors.

93. *Draft resolution A/C.3/72/L.28/Rev.1 was adopted.*

94. **Ms. Simpson** (United States of America) said that her delegation disassociated itself from preambular paragraph 5 of the draft resolution. While international cooperation was a useful tool, the primary responsibility for ensuring the promotion and protection of human rights lay with States. The human rights obligations and commitments of States were not contingent upon international cooperation. The absence of such cooperation could not, therefore, be invoked to justify a failure to honour human rights obligations. The draft resolution also contained language which her delegation considered to be inaccurate, specifically the reference to consecutive global food crises. Although there were regional food crises, particularly in conflict zones, and food prices were volatile in some parts of the world, the United States did not agree that there was a global food crisis.

Draft resolution A/C.3/72/L.29/Rev.1: Human rights and cultural diversity

95. **The Chair** said that the draft resolution had no programme budget implications.

96. **Mr. Quintanilla Román** (Cuba) introduced the draft resolution on behalf of the Movement of Non-Aligned Countries.

97. **Ms. Brooks** (United States), said that her delegation was concerned that the concept of cultural diversity as set out in the draft resolution could be misused to legitimize human rights abuses. Efforts to promote cultural diversity should not infringe on the enjoyment of human rights. By raising the concept of cultural diversity to the level of an essential objective,

the draft resolution misrepresented the relationship between cultural diversity and international human rights law. A more accurate characterization of cultural diversity was contained in Human Rights Council resolution 17/15. Furthermore, her delegation did not agree that the United Nations Educational, Scientific and Cultural Organization should support initiatives aimed at promoting intercultural dialogue on human rights and did not support the request for the preparation of a report on the implementation of the draft resolution. Accordingly, her delegation requested that a recorded vote should be taken and would vote against the draft resolution.

98. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union in explanation of vote before the voting, said that the European Union attached great importance to the promotion of cultural diversity, which was fundamental for achieving and maintaining peace. Cultural diversity could only be promoted and protected if human rights and fundamental freedoms, such as freedom of expression, information, communication, assembly and association, were guaranteed.

99. The European Union was pleased that the draft resolution recalled that, as expressed in the Universal Declaration on Cultural Diversity, "no one may invoke cultural diversity to infringe upon human rights guaranteed by international law, nor to limit their scope". It was the duty of States, regardless of their political, economic or cultural systems, to promote and protect the human rights and fundamental freedoms of all individuals under their jurisdiction. However, the European Union was concerned about the references to "discriminatory treatment against different cultures and religions", which shifted the focus away from the individual as a rights-holder, and "universally accepted human rights", which implied that there were some human rights that were not universal. Accordingly, the member States of the European Union would vote against the draft resolution.

100. *A recorded vote was taken on draft resolution A/C.3/72/L.29/Rev.1.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

101. *Draft resolution A/C.3/72/L.29/Rev.1 was adopted by 128 votes to 52.*

Draft resolution A/C.3/72/L.30: Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

102. **The Chair** said that the draft resolution had no programme budget implications.

103. **Mr. Quintanilla Román** (Cuba) introduced the draft resolution on behalf of the Movement of Non-Aligned Countries. Introducing an oral revision, he said that the title of the report of the Secretary-General should be included. Accordingly, the first paragraph should read "Takes note of the report of the Secretary-General entitled "Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity".

104. **Mr. Khane** (Secretary of the Committee) said that Angola, Bangladesh, Belize, Burkina Faso, Colombia, Dominican Republic, Ecuador, El Salvador, Gambia, Guinea-Bissau, Mauritania, Morocco, Paraguay, Saint Vincent and the Grenadines, Sierra Leone, Togo, Tunisia and Zambia had joined the sponsors.

105. *Draft resolution A/C.3/72/L.30, as orally revised, was adopted.*

Draft resolution A/C.3/72/L.31: Promotion of a democratic and equitable international order

106. **The Chair** said that the draft resolution had no programme budget implications.

107. **Mr. Quintanilla Román** (Cuba) introduced the draft resolution on behalf of the Movement of Non-Aligned Countries.

108. **Mr. Khane** (Secretary of the Committee) said that Bangladesh, Dominican Republic, Ecuador, Guinea-Bissau, Niger, Saint Vincent and the Grenadines, Sierra Leone, South Sudan, Sudan, Togo, and Zambia had joined the sponsors.

109. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union in explanation of vote before the voting, said that the European Union agreed that it was necessary to work towards a democratic and equitable international order. The issues raised in the draft resolution were important and required careful analysis and action by all States. The European Union was founded on a shared determination to promote peace and stability and to build a world based on respect for human rights, human dignity, freedom, democracy, equality and the rule of law, principles that underpinned the internal and external policies of the European Union. However, a significant number of the draft resolution's defining elements extended far beyond the scope of the Organization's human rights agenda and the European Union could not, therefore, support it.

110. **Ms. Brooks** (United States), speaking in explanation of vote before the voting, said that democracy, human rights and the rule of law were critical elements of her country's foreign policy. The United States continued to have reservations about the fundamental premise of the draft resolution, which also contained a number of controversial and extraneous assertions. Accordingly, her delegation had requested a recorded vote and would vote against the draft resolution.

111. *A recorded vote was taken on draft resolution A/C.3/72/L.31.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the

former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Armenia, Chile, Costa Rica, Mexico, Peru.

112. *Draft resolution A/C.3/72/L.31 was adopted by 123 votes to 53, with 5 abstentions.*

Draft resolution A/C.3/72/L.32/Rev.1: The right to food

113. **The Chair** said that the draft resolution had no programme budget implications.

114. **Mr. Quintanilla Román** (Cuba) introduced the draft resolution and presented an oral revision. An additional paragraph should be inserted after the thirty-first preambular paragraph, which should read "Recalling the proclamation of 2016–2025 as the United Nations Decade of Action on Nutrition at the seventieth session of the General Assembly and stressing the opportunity it represents to bring together initiatives and efforts to eradicate hunger and prevent all forms of malnutrition".

115. **Mr. Khane** (Secretary of the Committee) said that Austria, Bangladesh, Barbados, Belgium, Belize, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Costa Rica, Croatia, Cyprus, Denmark, Dominican Republic, Ecuador, France, Gambia, Germany, Greece, Guinea-Bissau, Guyana, Haiti, Hungary, Ireland, Italy, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Mexico, Monaco, Montenegro, Morocco, Mozambique, Peru, Philippines, Poland, Portugal, Romania, Saint Vincent and the Grenadines, San Marino, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, South Sudan, Spain, Sudan, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Republic of Tanzania and Yemen had joined the sponsors.

116. **Ms. Brooks** (United States) said that the international community was confronting a serious food security emergency. It was an outrage that many millions of people in South Sudan, Somalia, the Lake Chad Basin and Yemen were facing food insecurity and famine because of man-made crises caused by instability and armed conflict. While the draft resolution acknowledged the scale of the problem and called on States to heed the United Nations humanitarian appeal, it did not articulate meaningful solutions for preventing hunger and malnutrition and contained unbalanced, inaccurate and unwise provisions.

117. Everyone had the right to an adequate standard of living, including food, and the United States hoped to achieve a world where everyone had access to food. However, the right to food was not an enforceable obligation. The United States did not recognize any change in current conventional or customary international law regarding rights related to food. Under article 2, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights, each State Party must take steps with a view to achieving progressively the full realization of rights. States were responsible for implementing their human rights obligations. That was true of all obligations assumed by a State, regardless of external factors, such as the availability of assistance. There were no particular extraterritorial obligations arising from the concept of the right to food.

118. The draft resolution contained inaccurate and imbalanced language. There was no reference to the importance of agricultural innovation. The protection and enforcement of intellectual property rights, including through the international rules-based intellectual property system, was essential for promoting innovation. The United States objected to the references to technology transfer. Moreover, the draft resolution covered trade-related issues, which was inappropriate. The World Trade Organization (WTO) was an independent organization and the United Nations should not seek to shape its negotiations or agenda. Recalling that the member States of WTO were no longer negotiating under the Doha Development Round, she said that the language contained in paragraph 28 in no way superseded the Nairobi Ministerial Declaration, and also inaccurately linked trade negotiations to the right to food.

119. Her delegation rejected paragraph 29, which suggested there were tensions between international trade agreements and the right to food, and paragraph 35, in which States parties to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) were urged to consider implementing that agreement in a manner that was supportive of food security. The United Nations had no voice in such matters and should not tell WTO members what to do. Lastly, the United States interpreted the reaffirmation of prior documents, resolutions and related human rights mechanisms as applicable to the extent that countries had initially affirmed them. In the light of all of the above, her delegation requested a recorded vote and would vote against the draft resolution.

120. *A recorded vote was taken on draft resolution A/C.3/72/L.32/Rev.1 as orally revised.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain,

Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

Chile.

121. *Draft resolution A/C.3/72/L.32/Rev.1, as orally revised, was adopted by 177 votes to 2, with 1 abstention.*

122. **Mr. Bryan** (Canada) said that his Government supported the progressive realization of the right to food as part of the right to an adequate standard of living and had voted in favour of the draft resolution. There was no established link between the TRIPS Agreement and the concepts of food security and the right to food. Those issues did not appear in the TRIPS Agreement. His delegation therefore interpreted paragraph 35 of the resolution as encouraging WTO members to consider the manner in which they implemented the TRIPS Agreement. It did not suggest that Member States should make substantive interpretations of the TRIPS Agreement, nor did it instruct WTO members on how to implement the Agreement. There was nothing in the TRIPS Agreement that prevented States from pursuing the objectives of the right to food or food security.

123. **Ms. Kirianoff Crimmins** (Switzerland) said that the right to food was a priority for her country. Switzerland supported the draft resolution and the multilateral trade system. However, paragraph 28 of the draft resolution did not reflect the Nairobi Ministerial Declaration, in which ministers had agreed that some officials wished to identify and discuss areas in which results had yet to be achieved. Her delegation's proposals in that regard had not been taken into consideration.

Draft resolution A/C.3/72/L.33: Promotion of equitable geographical distribution in the membership of the human rights treaty bodies

124. **The Chair** said that the draft resolution had no programme budget implications.

125. **Mr. Quintanilla Román** (Cuba) introduced the draft resolution on behalf of the Movement of Non-Aligned Countries.

126. **Mr. Khane** (Secretary of the Committee) said that the Russian Federation had joined the list of sponsors.

127. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union in explanation of vote before the voting, said that the principle of equitable geographical distribution was important. However, the European Union had requested a recorded vote on the draft resolution and would vote against it. The human rights treaties already contained provisions on the composition of their treaty bodies. Some treaties made reference to the need to ensure equitable geographical distribution, while others did not. It was not up to the General Assembly to modify those provisions.

128. Furthermore, experts were elected to the treaty bodies in their personal capacity, not as representatives of States or regional groups. Naturally, it was important

to attract the best possible experts. Decisions on who should be elected should be based on the criteria set out in the relevant treaty and on the merits of the candidate. The European Union opposed the idea of a quota system. Moreover, in its resolution 68/268, the Assembly had reaffirmed that the independence and impartiality of members of the human rights treaty bodies was essential for the performance of their duties, yet that important point was not included in the draft resolution.

129. *A recorded vote was taken on draft resolution A/C.3/72/L.33.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

130. *Draft resolution A/C.3/72/L.33 was adopted by 127 votes to 51.*

The meeting rose at 6 p.m.

United Nations A/C.3/72/SR.49

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Summary record of the 49th meeting
Held at Headquarters, New York, on Friday, 17 November 2017, at 10 a.m.

Chair: Mr. Gunnarsson ..... (Iceland)

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The meeting was called to order at 10.10 a.m.

Agenda item 72: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/72/L.37, A/C.3/72/L.38, A/C.3/72/L.39/Rev.1, A/C.3/72/L.44/Rev.1, A/C.3/72/L.47, A/C.3/72/L.51/Rev.1, A/C.3/72/L.55)

Draft resolution A/C.3/72/L.37: Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

1. **The Chair** said that the draft resolution had no programme budget implications.

2. **Mr. Moussa** (Egypt), introducing the draft resolution on behalf of all the States Members of the United Nations that were members of the Organization of Islamic Cooperation (OIC), said that there was deep concern over the continuous rise in the number of incidents of religious intolerance, discrimination and related violence, and of negative stereotyping on the basis of religion or belief. Following a global resurgence of xenophobia, intolerance, racism and discrimination, populist leaders and right-wing political movements were increasingly building their political and social platforms on fomenting hatred against and the social exclusion of particular religious, ethnic, national or other groups. That contravened fundamental rights and freedoms, as well as human dignity, and posed a real challenge to international peace and security, development and social stability. It should be recognized that democracy and the rule of law were incompatible with any form of discrimination or intolerance. The draft resolution before the Committee was a consensus text.

3. **Mr. Khane** (Secretary of the Committee) said that Australia, Belarus, Canada, Central African Republic, Cuba, Eritrea, Ghana, Japan, Thailand and Venezuela (Bolivarian Republic of) had joined the sponsors.

4. **Mr. Qassem Agha** (Syrian Arab Republic) said that as his country was not a member of the Organization of Islamic Cooperation, his delegation wished to sponsor the draft resolution in its national capacity.

5. *Draft resolution A/C.3/72/L.37 was adopted.*

6. **Ms. Naur** (Estonia), speaking on behalf of the European Union, said that the European Union was founded upon values such as non-discrimination, tolerance and respect for human rights, including freedom of expression and freedom of thought, conscience and religion or belief. The European Union remained committed to engaging in dialogue aimed at addressing departures from and misinterpretations of those values. The draft resolution before the Committee was a call to States to respond to acts of intolerance and discrimination while ensuring full respect for international human rights law.

7. The European Union strongly condemned intolerance, discrimination and violence based on religion or belief and any advocacy of religious hatred that might constitute incitement to discrimination, hostility or violence. It also attached great importance to freedom of opinion and expression, which was intrinsically linked to freedom of religion or belief and to other human rights and fundamental freedoms. The European Union wished to reiterate its strong conviction that freedom of expression was a powerful and essential tool for combating discrimination, hatred and violence based on religion or belief. Any restrictions on freedom of expression could undermine efforts to combat religious intolerance and should therefore be imposed with sensitivity and never as a pretext for the arbitrary limitation of fundamental rights. If truly necessary, such restrictions must be legally prescribed and proportionate, have a legitimate aim and cause minimal interference. In other words, any such restrictions must meet the requirements set out in article 19 of the International Covenant on Civil and Political Rights.

8. The European Union acknowledged the great value and crucial role of dialogue in countering manifestations of religious hatred and therefore welcomed the recognition of the open public debate of ideas and interreligious, interfaith and intercultural dialogue as among the best protections against religious intolerance. The European Union also concurred with the assertion that religious intolerance could generate hatred and violence among individuals from and within different nations and considered religious hatred to pose a threat to the human rights and fundamental freedoms of individuals at both the local and national levels. States and local authorities bore primary responsibility for countering religious intolerance as part of their broader responsibilities in promoting and protecting human rights. Cultural diversity and religious traditions must not be invoked to justify the infringement of human rights guaranteed under international law or the limitation of their scope. The fight against religious intolerance should remain a priority for all States. The European Union would continue its efforts to combat that phenomenon for as long as they were needed.

9. **Ms. Mozolina** (Russian Federation) said that her delegation was concerned by the growing number of manifestations of intolerance based on religion or belief, especially against persons belonging to religious minorities. The Russian Federation supported interreligious and intercultural dialogue and advocated the implementation of the draft resolution within the scope of each country's civilizational, cultural and religious situation.

Draft resolution A/C.3/72/L.38: Freedom of religion or belief

10. **The Chair** said that the draft resolution had no programme budget implications.

11. **Ms. Naur** (Estonia), introducing the draft resolution on behalf of the European Union, said that the promotion and protection of freedom of religion or belief as a fundamental human right and the elimination of discrimination on that basis were essential pillars of the European Union's human rights policy and the subject of specific European Union guidelines. Respect for diversity and mutual understanding were of utmost importance in creating an environment conducive to the full enjoyment of freedom of religion or belief by all. All States needed to step up their efforts to provide adequate constitutional and legal guarantees of freedom of thought, conscience and religion or belief, including by giving effect to recommendations related to freedom of religion or belief made during the universal periodic review process.

12. The draft resolution, which followed up on the United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, was the result of constructive cooperation among partners over a number of years. Minimal changes had been made to the text in an effort to encourage States to do more to implement the draft resolution. At the regional level, the European Union had issued a detailed guidance note on the implementation of the European Union Guidelines on the promotion and protection of freedom of religion or belief. The adoption of the draft resolution by consensus would send another strong message to the international community on the need to protect that fundamental human right.

13. **Mr. Khane** (Secretary of the Committee) said that Andorra, Angola, Armenia, Belarus, Bosnia and Herzegovina, Brazil, Cabo Verde, Colombia, Costa Rica, Côte d'Ivoire, Dominican Republic, El Salvador, Georgia, Guatemala, Guinea, Haiti, Iceland, Israel, Liberia, Madagascar, Montenegro, New Zealand, Nigeria, Panama, Papua New Guinea, Peru, Philippines, Republic of Korea, Republic of Moldova, San Marino, Sierra Leone, Switzerland, Thailand, former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine and Uruguay had joined the sponsors.

14. *Draft resolution A/C.3/72/L.38 was adopted*

Draft resolution A/C.3/72/L.39/Rev.1: The human rights to safe drinking water and sanitation

15. **The Chair** said that the draft resolution had no programme budget implications.

16. **Mr. Oyarzun Marchesi** (Spain), introducing the draft resolution on behalf of Germany and Spain, said that the text preserved the consensus reached previously on the need to promote and protect the right to safe drinking water and the right to sanitation. The updated version made reference to the 2030 Agenda for Sustainable Development and to the specific challenges impeding the full realization of those rights, such as climate change. It was a fortunate coincidence that the draft resolution would be adopted a few days ahead of World Toilet Day, which, together with World Water Day, was an important reminder of the progress made towards achieving the full realization of those rights and of the work that remained to be done in that connection. The fact that 12 per cent of the global population still had no access to drinking water and that 32 per cent still had no access to basic sanitation services underlined the need for the international community to step up its efforts in that area.

17. **Mr. Khane** (Secretary of the Committee) said that Angola, Afghanistan, Algeria, Bangladesh, Benin, Belize, Bosnia Herzegovina, Côte d'Ivoire, Ecuador, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guinea Bissau, Haiti, Lesotho, Libya, Madagascar, Maldives, Mali, Mauritius, Mexico, Mozambique, Nicaragua, Niger, Nigeria, Oman, Paraguay, Peru, Qatar, Republic of Korea, Rwanda, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Solomon Islands, South Sudan, Sweden, Tajikistan, Thailand, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and Vanuatu had joined the sponsors.

18. **Ms. Moldoisaeva** (Kyrgyzstan) said that her delegation for the most part supported the draft resolution but considered the final text to be unbalanced. Some of the proposals submitted by her delegation during negotiations had not been reflected in the final draft resolution, which meant that delegations that had not been present during informal consultations had not seen possible alternatives to the current text. She therefore presented two oral amendments and called for them to be considered separately by the Third Committee.

19. The first amendment was technical in nature. In the twenty-sixth preambular paragraph, the words "without any prejudice" were translated differently in the current draft resolution compared to the resolution submitted two years earlier (A/RES/70/169). The discrepancy between the translations might give rise to different interpretations in the two languages, which was unacceptable for a General Assembly resolution. She proposed replacing the words "as a means to promote the progressive realization of the human rights to safe drinking water and sanitation, without any prejudice to questions of international water law, including international watercourse law," with the words "with the understanding that it has no bearing on the questions of international water law, including international watercourse law".

20. Presenting her second amendment, she said that in paragraph 9, the words "have the primary responsibility to ensure" should be replaced with the words "will continue to promote" and the words "within their own territory" should be inserted before the words "by all appropriate means". The obligations of Member States to uphold human rights to safe drinking water and sanitation should be limited to their national context and not extended to the territory of other Member States. The amendment was in accordance with article 2 of the International Covenant on Civil and Political Rights and would by no means undermine the importance accorded to the human rights to safe drinking water and sanitation in the draft resolution.

21. **Mr. Oyarzun Marchesi** (Spain) said that it was disappointing that oral amendments had been proposed to the text, which already enjoyed the support of more than 100 Member States. The paragraphs in question contained agreed language and had been adopted by consensus as part of previous General Assembly resolutions. The sponsors had held several rounds of bilateral consultations with the delegation of Kyrgyzstan without a compromise solution having been found.

22. The proposed amendment to the twenty-sixth preambular paragraph entailed altering previously agreed language and deleting a substantial part of that paragraph, including the reference to the progressive realization of the right to safe drinking water and the right to sanitation. Notwithstanding the importance of transboundary water issues, all delegations bar one considered the language contained in the paragraph to be an adequate compromise solution and welcomed the reference to international watercourse law. Amending that paragraph without holding proper consultations would only give rise to further issues.

23. The proposed amendment to paragraph 9 had the effect of weakening the part of the text alluding to human rights obligations and constituted a substantial departure from language which been agreed several years previously and which mirrored article 2 of the International Covenant on Economic, Social and Cultural Rights. As Kyrgyzstan itself had ratified the Covenant and was subject to the obligations arising from article 2 of that instrument, the language of paragraph 9 could not be altered or its scope diminished. The broad consensus reached by Member States on the need to promote and protect the right to safe drinking water and the right to sanitation should not be jeopardized by the national interests of one delegation. The delegation of Kyrgyzstan should have raised its concerns in the appropriate forum through the appropriate mechanism instead of breaking the consensus on such an important issue.

24. The sponsors of the draft resolution could therefore not support the two amendments proposed by the delegation of Kyrgyzstan for reasons of substance and procedure. He requested a recorded vote on the proposed amendments to the twenty-sixth preambular paragraph and paragraph 9 of the text and urged all delegations to vote against them.

25. **Mr. Khane** (Secretary of the Committee) said that the representative of Kyrgyzstan could rest assured that whenever there was a discrepancy between the various language versions of a draft resolution, the Secretariat performed a concordance of all texts after adoption. As texts were usually tabled in English, all other language versions would be aligned with the English version of the text, although all versions of an adopted resolution were of equal legal value.

26. **The Chair** said that a recorded vote had been requested on the first oral amendment proposed by the representative of Kyrgyzstan, to the twenty-sixth preambular paragraph of draft resolution A/C.3/72/L.39/Rev.1.

27. **Mr. Mahidi** (Austria), speaking in explanation of vote before the voting, said that his delegation objected to the proposed amendment on both procedural and substantive grounds. The negotiations had been led in an exemplary manner, and all delegations must be flexible in order to achieve consensus. The facilitators had worked hard to find a compromise with respect to the twenty-sixth preambular paragraph that would be acceptable to all sides, and it was regrettable that those efforts had been called into question.

28. His delegation also objected to the substance of the proposed oral amendment. Transboundary water issues were important to many delegations, and felt that the

twenty-sixth preambular paragraph was an adequate solution, as it contained an important qualifier on international watercourse law. The proposed amendment would not improve the language, and the explanations offered had failed to clarify why the previously agreed language of the paragraph should be changed. For those reasons, Austria would vote against the oral amendment and urged other delegations to do the same.

29. *A recorded vote was taken on the oral amendment proposed by the representative of Kyrgyzstan to the twenty-sixth preambular paragraph of draft resolution A/C.3/72/L.39/Rev.1.*

In favour:

Algeria, Angola, Belarus, Bolivia (Plurinational State of), China, Democratic People's Republic of Korea, India, Indonesia, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Morocco, Myanmar, Russian Federation, Syrian Arab Republic, Viet Nam, Yemen.

Against:

Albania, Andorra, Antigua and Barbuda, Armenia, Australia, Austria, Bahamas, Bangladesh, Belgium, Belize, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Cabo Verde, Canada, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Latvia, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Namibia, Netherlands, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea , Republic of Moldova, Romania, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, South Sudan, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Zambia, Zimbabwe.

Abstaining:

Argentina, Bahrain, Barbados, Bhutan, Botswana, Brazil, Burundi, Cambodia, Cuba, Djibouti, Ethiopia, Ghana, Iran (Islamic Republic of), Jamaica, Jordan, Kuwait, Malawi, Malaysia, Nepal, New Zealand, Oman, Pakistan, Qatar, Saudi Arabia, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Timor-Leste, Turkey, United Arab Emirates, Venezuela (Bolivarian Republic of).

30. *The oral amendment was rejected by 106 votes to 17, with 33 abstentions.*

31. **The Chair** said that a recorded vote had been requested on the second oral amendment proposed by the representative of Kyrgyzstan, to paragraph 9 of draft resolution A/C.3/72/L.39/Rev.1.

32. **Ms. Quiel Murcia** (Panama), speaking in explanation of vote before the vote, said it was alarming to think that almost 750 million people did not have access to a vital resource such as water, which was under threat from both human activity and climate change. The right to water was essential for the full enjoyment of life and all human rights. It was crucial that Member States should increase access to that resource, address mismanagement of water sources and improve hygiene and sanitation. The language contained in paragraph 9 had been taken from the draft resolution adopted by consensus in 2015. The draft resolution before the Committee was the result of arduous negotiations and reflected the delicate balance struck between the positions taken by different delegations. The fact that the paragraph was based on article 2 of the International Covenant on Economic, Social and Cultural Rights should not be overlooked. Panama was in favour of maintaining paragraph 9 in its current form and would vote against the amendment proposed by the delegation of Kyrgyzstan.

33. *A recorded vote was taken on the second oral amendment proposed by the representative of Kyrgyzstan to paragraph 9 of draft resolution A/C.3/72/L.39/Rev.1.*

In favour:

Algeria, Angola, Belarus, Bolivia (Plurinational State of), China, Democratic People's Republic of Korea, Djibouti, India, Indonesia, Iran (Islamic Republic of), Kenya, Kyrgyzstan, Lao People's Democratic Republic, Morocco, Myanmar, Russian Federation, Syrian Arab Republic, Viet Nam, Yemen.

Against:

Albania, Andorra, Antigua and Barbuda, Armenia, Australia, Austria, Bahamas, Bangladesh, Belgium, Belize, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Canada, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark,

Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Jordan, Latvia, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Namibia, Netherlands, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Zambia, Zimbabwe.

Abstaining:

Argentina, Bahrain, Barbados, Bhutan, Botswana, Brazil, Burundi, Cambodia, Cuba, Eritrea, Ethiopia, Jamaica, Kuwait, Malawi, Malaysia, Nepal, New Zealand, Oman, Pakistan, Qatar, Saudi Arabia, Singapore, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Timor-Leste, Turkey, United Arab Emirates, Venezuela (Bolivarian Republic of).

34. *The oral amendment resolution was rejected by 105 votes to 19, with 31 abstentions.*

35. **The Chair** said that a recorded vote had been requested on draft resolution A/C.3/72/L.39/Rev.1.

36. **Mr. Oyarzun Marchesi** (Spain) said that the draft resolution had traditionally been adopted by consensus, with backing from all regions, and the strong support from 109 delegations for the text was a clear sign of its importance. The sponsors had tried to build a strong consensus over the course of several years. Water and sanitation were important to all delegations, and that understanding should not be questioned due to the national interests of a certain State on one particular issue. Spain therefore urged all delegations to vote in favour of the resolution.

37. **Ms. Moldoisaeva** (Kyrgyzstan) said that the results of the vote had shown the broad variety of opinions on the subject. In future, the draft resolution would achieve consensus only if it addressed her delegation's concerns that the human rights to safe drinking water and sanitation should not entail obligations beyond a country's borders.

38. **Ms. Matlhako** (South Africa), speaking in explanation of vote before the voting, said that her delegation appreciated that the draft resolution maintained a human rights perspective in addressing the issues of water and sanitation, and it believed that those rights were interrelated and interdependent, as adequate sanitation was not possible without clean and safe water sources. South Africa was, however, concerned that the draft resolution delinked those rights from the right to development, an approach that could only be counterproductive. The Beijing Declaration and Platform for Action recognized development as an inalienable right and the commemoration of the thirtieth anniversary of right to development in 2016 had been a clear reaffirmation of that fact. The lack of reference to the justiciability of economic, social and cultural rights was a fundamental weakness. The fourth preambular paragraph could have benefited from language to the effect that the resolution sought to build on the Millennium Development Goals. South Africa would also have appreciated balanced language with respect to the means of implementation. Finally, the progressive language that had been expressed during the informal consultations had not been incorporated into the final draft. South Africa would therefore abstain from the vote on the draft resolution.

39. *A recorded vote was taken on draft resolution A/C.3/72/SR.39/Rev.1.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia,

Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Against:

Kyrgyzstan.

Abstaining:

New Zealand, South Africa, Turkey.

40. *Draft resolution A/C.3/72/L.39/Rev.1 was adopted by 173 votes to 1, with 3 abstentions.*

41. **Mr. González Serafini** (Argentina) said that Argentina supported the progressive development of international human rights law, bearing in mind that the core international human rights treaties had become a fundamental pillar of the country's legal system, having acquired constitutional rank following the reform of its Constitution in 1994. The importance of having access to drinking water and basic sanitation services as a means of safeguarding health and the environment was recognized by various international treaties to which Argentina was a party. Argentina understood that one of the primary responsibilities of States was to guarantee the right to water as a precondition for guaranteeing the right to life and an adequate standard of living. In the past, Argentina had joined the consensus on the draft resolution in question, in keeping with its position of principle of adopting resolutions in that manner. It was for that reason that Argentina had voted in favour of the draft resolution, despite maintaining that States were only obliged to guarantee the right to water and the right to sanitation of those individuals under their jurisdiction and not in respect of other States. Argentina also wished to reaffirm its commitment to General Assembly resolution 1803 (XVII) on permanent sovereignty over natural resources.

42. **Ms. Simpson** (United States of America) said that the United States had voted in favour of the draft resolution on the understanding that it did not imply that States must implement obligations under human rights instruments to which they were not a party. The United States was not a party to the International Covenant on Economic, Social and Cultural Rights and the rights contained therein were not justiciable in United States courts. Water resource management was a technical function distinct from international human rights law, and thus the twenty-first preambular paragraph should not be understood as creating any international legal obligations.

43. The United States disagreed that safe drinking water was inextricably linked to the right to life and did not believe that the legal duty of a State to protect the right to life entailed that it must address general conditions that could threaten life or affect standard of living. While the United States agreed that safe water and sanitation were critically important, it did not accept all of the analyses and conclusions of the reports of the Special Rapporteur mentioned in the draft resolution.

44. The United States wished to point out that although climate models projected possible future changes in the patterns of natural disasters, the scientific community did not agree on whether there was an observable trend in certain types of sudden-onset natural disasters. Lastly, the United States dissociated itself from paragraph 2 of the resolution, as the definition of the right to water and sanitation was based on the views of the Committee on Economic, Social, and Cultural Rights and the Special Rapporteur only and such language did not appear in an international agreement or reflect any international consensus.

45. **Mr. Mori** (Japan) said that his delegation had voted in favour of the draft resolution as it placed a high priority on issues of water and sanitation. However, the vote did not prejudge the position of Japan, which was one of caution in considering safe drinking water and sanitation to be an inalienable right.

Draft resolution A/C.3/72/L.44/Rev.1: Protection of human rights and fundamental freedoms while countering terrorism

46. **The Chair** said that the draft resolution had no programme budget implications.

47. **Mr. Sandoval Mendiolea** (Mexico), introducing the draft resolution, said that draft resolutions should be

living documents that were relevant and up-to-date, reflected the challenges and reality on the ground and served as a tool for and guided the efforts of Member States. The draft resolution had been expanded to include references to respecting, protecting and fulfilling the human rights of members of minority groups, who often suffered discrimination; stronger language on the participation of civil society in government efforts to protect human rights in the fight against terrorism had been included; and the recruitment and use of children in acts of terror and in measures taken to counter terrorism had been condemned. He urged all States to protect children in accordance with international human rights law and international humanitarian law in the face of that scourge.

48. **Mr. Khane** (Secretary of the Committee) said that Albania, Andorra, Armenia, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Denmark, Ecuador, El Salvador, Estonia, France, Germany, Greece, Haiti, Honduras, Hungary, India, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Morocco, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, the United States of America and Uruguay had become sponsors of the draft resolution.

49. *Draft resolution A/C.3/72/L.44/Rev.1 was adopted.*

50. **Ms. Simpson** (United States of America) said that the United States did not recognize an obligation under human rights law to prevent terrorism or protect individuals from terrorist attacks, but urged all States to comply with their international legal obligations while countering terrorism. It also believed that the new report called for in the draft resolution was not an appropriate use of scarce resources.

51. **Ms. Mozolina** (Russian Federation) said that terrorism could not be justified on any grounds, including within the context of efforts to protect human rights. Similarly, incitement to commit terrorism should not be permitted as a manifestation of freedom of speech since it endangered the public.

52. Counter-terrorism efforts must strike the right balance between the protection of human rights and of the interests of society. In particular, United Nations bodies should devote sufficient resources to the impact of terrorist activities on the observance of human rights. In addition, cooperation in counter-terrorism efforts should be exclusively with legitimate Governments, whereas States that openly or covertly supported terrorists should bear responsibility for the human rights consequences of terrorist acts.

53. In paragraph 7 of the draft resolution, her delegation interpreted humanitarian actors as bodies which provided humanitarian assistance to civilians but had no ties with terrorists.

Draft resolution A/C.3/72/L.47: International Convention for the Protection of All Persons from Enforced Disappearance

54. **The Ch[illegible]r** said that the draft resolution had no programme budget implications.

55. **Ms. Charrier** (France), introducing the draft resolution on behalf of Argentina, France and Morocco, said that the text recognized the importance of the International Convention for the Protection of All Persons from Enforced Disappearance and the role of the Committee on Enforced Disappearances in preventing and combating that phenomenon. The Convention was intended to assist victims of enforced disappearance and the members of their families all around the world, regardless of region or origin. If its effectiveness was to be increased, more progress needed to be achieved in promoting its universalization and in encouraging States parties to recognize the competence of the Committee on Enforced Disappearances to receive and consider communications, in complementarity with the Working Group on Enforced or Involuntary Disappearances.

56. **Mr. Khane** (Secretary of the Committee) said that Albania, Andorra, Antigua and Barbuda, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Burkina Faso, Canada, the Central African Republic, Côte d'Ivoire, Croatia, Cuba, Czechia, Denmark, Ecuador, Estonia, Ghana, Greece , Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, India, Ireland, Italy, Kazakhstan, Latvia, Lebanon, Madagascar, Mali, Malta, Mexico, Mongolia, Montenegro, the Netherlands, Niger, Norway, Palau, Paraguay, Peru, Portugal, the Republic of Moldova, Romania, Samoa, Senegal, Serbia, Slovakia, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, the United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu and Venezuela (Bolivarian Republic of) had joined the sponsors of the draft resolution.

57. *Draft resolution A/C.3/72/L.47 was adopted.*

58. **Mr. Mori** (Japan) said that enforced disappearance was a serious crime and a grave violation of human dignity and integrity, and must be addressed urgently by the international community. In that context, his Government demanded that the Government of the Democratic People's Republic of Korea must

immediately return the Japanese citizens that had been abducted from his country.

59. It was important to raise awareness on the current situation of enforced disappearances, and to ensure the universal and earliest possible ratification of the International Convention for the Protection of All Persons from Enforced Disappearance. In that respect, his delegation expected that the draft resolution would support efforts by the Office of the United Nations High Commissioner for Human Rights and treaty bodies to promote universal ratification of the Convention.

Draft resolution A/C.3/72/L.51/Rev.1: Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

60. **The Chair** said that the draft resolution had no programme budget implications.

61. **Ms. Konzett-Stoffl** (Austria) said that 25 years after the adoption by consensus of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, the draft resolution remained highly relevant, as it set out essential standards for upholding the rights of persons belonging to minorities, and continued to be a key reference for work on that issue by the United Nations. It also provided guidance to States as they sought to manage diversity in their societies and to ensure non-discrimination.

62. **Mr. Khane** (Secretary of the Committee) said that Armenia, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Canada, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Denmark, the Dominican Republic, Ecuador, Eritrea, Greece, Haiti, Honduras, Iceland, Ireland, Latvia, Lebanon, Liberia, Lithuania, Malta, Montenegro, the Netherlands, Norway, Panama, Paraguay, Peru, the Republic of Korea, the Russian Federation, San Marino, Senegal, Serbia, Slovakia, South Africa, Sweden, Ukraine, the United Republic of Tanzania and Uruguay had joined the sponsors of the draft resolution.

63. *Draft resolution A/C.3/72/L.51/Rev.1 was adopted.*

Draft resolution A/C.3/72/L.55: Subregional Centre for Human Rights and Democracy in Central Africa

64. **The Chair** said that the draft resolution had no programme budget implications.

65. **Ms. Mballa Eyenga** (Cameroon), introducing the draft resolution on behalf of the members of the Economic Community of Central African States (ECCAS), said that the draft resolution was based on General Assembly resolution 70/167, with some technical amendments to the third and seventh preambular paragraphs and paragraphs 4 and 10, to bring it up to date.

66. In addition, a new paragraph had been introduced, paragraph 5, welcoming the Centre's activities in the area of human rights in development and in the economic sphere, through advocacy and providing guidance to States, but also private sector companies and businesses in the subregion with a view to promoting and protecting all human rights, including economic, social and cultural rights.

67. The Centre had begun to play a pivotal role in the subregion, where it was being increasingly called upon by Member States and various stakeholders and partners to undertake activities in the area of the promotion and protection of human rights. The subregion also faced additional challenges, including the fight against terrorism, which had led ECCAS to call upon traditional partners, Member States, and the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide financial support to the Centre. In addition, States in the subregion hoped that the changes envisaged by the OHCHR would not adversely impact the Centre nor call into question its existence. It was hoped that the Centre could remain in the subregion and that its management could be in line with that of other subregional centres.

68. **Mr. Khane** (Secretary of the Committee) said that Algeria, Australia, Austria, Belgium, Bulgaria, Burkina Faso, Cabo Verde, Canada, the Comoros, Costa Rica, Côte d'Ivoire, Djibouti, Egypt, Eritrea, Estonia, Ethiopia, the Gambia, Ghana, Guinea, Guinea-Bissau, Haiti, Hungary, Ireland, Italy, Japan, Kenya, Luxembourg, Mali, Morocco, Namibia, Niger, Nigeria, Romania, Slovenia, Sudan, Tunisia, Uganda and the United States of America had joined the list of sponsors.

69. *Draft resolution A/C.3/72/L.55 was adopted.*

Statements in exercise of the right of reply

70. **Mr. Ri** Song Chol (Democratic People's Republic of Korea), responding to a statement made by the representative of Japan with regard to draft resolution A/C.3/72/L.47 on enforced disappearance, said that his delegation strongly condemned the surprise provocation by the delegation of Japan, and the Japanese Government's continued politicized allegation against his country, an allegation that only served its own interest. In fact, the Democratic People's Republic of Korea had adequately fulfilled its commitments towards resolving the abduction issue in the context of the joint 2002 Pyongyang Declaration, and in the context of the

agreement reached during talks between the two countries in Stockholm in May 2014.

71. As all were well aware, the Government of Japan had been the world's worst violator of human rights and a criminal State which had inflicted great suffering on the Korean people and others in Asia and in the rest of the world. The Government of Japan must once and for all admit to and apologize and compensate for its heinous past crimes against humanity, including the sexual slavery of 200,000 Korean women by the Japanese imperial army, especially in the light of the fact that it had yet to do so even more than seventy years after the Second World War.

72. **Mr. Mizuno** (Japan) said that the claim that the abduction issue had been resolved was contrary to fact. He urged the Government of the Democratic People's Republic of Korea to uphold its commitment towards carrying out comprehensive investigations concerning all Japanese persons, including abductees, in accordance with the May 2014 Stockholm Agreement.

73. Japan had long been making positive contributions to international peace and security, namely through serving as a non-permanent member of the Security Council a number of times over the years since joining the United Nations.

74. **Mr. Ri** Song Chol (Democratic People's Republic of Korea) said that his country had done more than enough to resolve the abduction issue in accordance with the Stockholm Agreement. If Japan repeatedly referred to the abduction issue, it was only to serve its own political interests and to leverage greater power in its domestic politics. Its claim of contributing to peace and security was meaningless as long as it failed to recognize or officially compensate victims of its past crimes.

75. **Mr. Mizuno** (Japan) reiterated that the statement by the representative of the Democratic People's Republic of Korea was not based on fact.

Agenda item 108: International drug control (*continued*) (A/C.3/72/L.8/Rev.1)

Draft resolution A/C.3/72/L.8/Rev.1: International cooperation to address and counter the world drug problem

76. **The Chair** said that the draft resolution contained no programme budget implications.

77. **Mr. Sandoval Mendiolea** (Mexico) said that the General Assembly was the most appropriate framework for giving priority to a broad approach to the drug problem, based on the seven thematic areas of the outcome document of the thirtieth special session of the Assembly. It was also the best forum for addressing commitments towards system-wide coordination within the United Nations.

78. **Mr. Khane** (Secretary of the Committee) said that Antigua and Barbuda, Argentina, Austria, Bahamas, Barbados, Belgium, Belize, Benin, Brazil, Burkina Faso, Cabo Verde, Cameroon, Colombia, Côte d'Ivoire, Croatia, Cyprus, the Dominican Republic, Ecuador, Estonia, France, Germany, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Hungary, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Luxembourg, Monaco, Montenegro, Niger, Nigeria, Norway, Panama, Paraguay, the Philippines, Portugal, Qatar, the Republic of Korea, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sao Tome and Principe, Senegal, Serbia, Slovakia, Slovenia, the former Yugoslav Republic of Macedonia, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay had joined the sponsors.

79. *Draft resolution A/C.3/72/L.8/Rev.1 was adopted.*

80. **The Chair** suggested that, in accordance with General Assembly decision 55/488, the Committee should take note of the report of the Secretary-General on international cooperation against the world drug problem (A/72/225).

81. *It was so decided.*

Agenda item 27: Social development (*continued*) (A/C.3/72/L.10/Rev.1)

Draft resolution A/C.3/72/L.10/Rev.1: Persons with albinism

82. **The Chair** said that the draft resolution had no programme budget implications.

83. **Mr. Mhura** (Malawi), speaking on behalf of the sponsors, drew attention to a few key aspects of the draft resolution, including the Regional Action Plan on Albinism in Africa, which sought to address attacks and discrimination against persons with albinism. He also recalled, inter alia, that the draft resolution encouraged Member States to end impunity for violence against persons with albinism, including sexual and gender-based violence, by amending laws, were applicable, and by bringing perpetrators to justice.

84. **Mr. Khane** (Secretary of the Committee) said that Afghanistan, Angola, Austria, Belize, Bolivia (Plurinational State of), Burkina Faso, Burundi, Cabo Verde, Cuba, the Dominican Republic, France, the Gambia, Guinea-Bissau, Haiti, India, Indonesia, Israel, Italy, Lebanon, Lesotho, Madagascar, Namibia, Nigeria,

the Republic of Korea, Senegal, Sudan, Tunisia, Turkey, Uganda, the United Arab Emirates and the United Kingdom of Great Britain and Northern Ireland had joined the sponsors.

85. *Draft resolution A/C.3/72/L.10/Rev.1 was adopted.*

86. **Ms. Simpson** (United States of America) said that the United States had joined the consensus on the draft resolution on the understanding that that did not imply that States must become parties to instruments to which they were not parties, nor implementation of obligations under those instruments. In addition, references in the draft resolution to the obligations of States were interpreted in the light of article 2, paragraph 1 of the International Covenant on Economic, Social and Cultural Rights. It was believed that international instruments, including the Convention on the Rights of Persons with Disabilities, were relevant in addressing issues of stigma and violence, including against persons with albinism and all persons with disabilities.

87. Future discussions on how to address the various social and developmental challenges faced by persons with albinism could be greatly informed by examining the root causes of discrimination against persons with disabilities. States should take effective measures to respect and protect the human rights and fundamental freedoms of all persons, including persons with albinism.

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*) (A/C.3/72/L.14/Rev.1 and A/C.3/72/L.15/Rev.1)

Draft resolution A/C.3/72/L.14/Rev.1: Follow-up to the twentieth anniversary of the International Year of the Family and beyond

88. **The Chair** said that the draft resolution had no programme budget implications.

89. **Mr. García Paz y Miño** (Ecuador), speaking on behalf of the Group of 77 and China, said that the objectives under the International Year of the Family and its follow-up processes remained relevant, and the draft resolution encouraged Governments to continue to make every possible effort to realize those objectives. He presented an oral revision to the text: in paragraph 6, the words "to consider providing" should be replaced with "to provide".

90. **Mr. Khane** (Secretary of the Committee) said that Azerbaijan and Turkey had joined the sponsors of the draft resolution.

91. **Mr. Sandoval Mendiolea** (Mexico) said that his delegation had joined consensus on the draft resolution but would have liked it to reflect the variety of family structures that existed as a consequence of factors such as demographic change and migration.

92. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union, said that families made a valuable contribution to strengthening society and that policies should be developed to support them in that role. Moreover, States had numerous international legal obligations to protect and promote the human rights of individual family members. All family-centred policies must, however, be inclusive. Throughout the world, families were changing in response to economic and social developments. The family was a living, dynamic entity, and policy discussions should reflect the fact that in different cultural, social and political systems various forms of the family existed. In that connection, the European Union understood all references to the term "family" in the draft resolution as reflecting that inclusivity.

93. The European Union regretted that the concept of family continued to be a divisive issue in deliberations at the United Nations. That should not be the case, as all delegations recognized the value of families and their contribution to society and human development. The European Union would continue to engage constructively with partners in order to reach a consensus on the issue.

94. *Draft resolution A/C.3/72/L.14/Rev.1, as orally revised, was adopted.*

Draft resolution A/C.3/72/L.15/Rev.1: Policies and programmes involving youth

95. **The Chair** said that the draft resolution contained no programme budget implications.

96. **Ms. Coroa** (Portugal), introducing the draft resolution, said that youth issues were cross-cutting and affected all Member States. The draft resolution therefore did not focus on a particular region, but provided a useful basis for action and policies for youth development at the national, regional and international levels. It highlighted the connection between the World Programme of Action for Youth and the 2030 Agenda for Sustainable Development, which together represented an opportunity to tackle the challenges affecting youth development. The draft resolution also acknowledged the positive contributions of the youth representatives to the General Assembly.

97. **Mr. Khane** (Secretary of the Committee) said that Algeria, Andorra, Angola, Antigua and Barbuda,

Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, El Salvador, Eritrea, Estonia, France, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Hungary, India, Ireland, Italy, Japan, Jordan, Latvia, Lebanon, Lesotho, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mexico, Monaco, Montenegro, Morocco, Mozambique, Namibia, Norway, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Republic of Korea, Romania, Russian Federation, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela (Bolivarian Republic of) and Zimbabwe had joined the sponsors of the draft resolution.

98. **Ms. Non** (Saint Lucia), introducing an oral amendment, said that in paragraph 10, the words "with appropriate direction and guidance from parents and legal guardians," should be inserted after the words "consistent with their evolving capacities,". In its current form, the draft resolution implied that parents were no more important than young persons, caregivers, educators and health care providers. Given that the United Nations defined adolescents as children as young as 10 years of age, the draft resolution should therefore be harmonized with the Convention on the Rights of the Child, by placing greater emphasis on parents' strong guiding role in the upbringing of their children.

99. **Mr. Barro** (Senegal), speaking also on behalf of the other sponsors of the draft resolution, said that informal consultations had been open, transparent and inclusive and that the resulting text was the common denominator of markedly different views on a subject of vital importance to many delegations. Had the delegation of Saint Lucia presented its amendments during the informal consultations, his delegation would have engaged with it with the same openness which it had shown throughout the negotiation process.

100. It was essential not to lose sight of the overall political horizons of the draft resolution. Nothing in paragraph 10 should be controversial since the language was based on consensus language agreed at the highest level and endorsed in numerous General Assembly resolutions. It gave Member States considerable leeway to decide on policies based on specific age brackets, national situations and cultural contexts, and allowed parents to decide on the extent of their involvement with children. The paragraph was also consistent with the wording of paragraph 35 (b) of the 1994 Programme of Action of the International Conference on Population and Development. Moreover, if paragraph 10 on information on sexual and reproductive health was to be amended, it would be controversial not to reflect similar changes to paragraph 9 on quality health education and literacy. He called for a vote on the proposed amendment.

101. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union, said that the candidate countries Montenegro and Albania and the country of the stabilization and association process and potential candidate Bosnia and Herzegovina aligned themselves with his statement. It was regrettable that an oral amendment had been proposed to a paragraph that had already been discussed at length during open and constructive informal consultations. The wording of the paragraph in question reflected a good amalgamation of the substantive language of relevant documents adopted at the General Assembly and a compromise of the various views on youth issues. Although the final text omitted a number of elements that his delegation would have liked to see included, it had joined consensus in the spirit of compromise. European Union member States would vote against the proposed amendment.

102. **Mr. Bryan** (Canada), speaking also on behalf of Australia, Iceland, Liechtenstein, New Zealand, Norway and Switzerland, said that it was disappointing that an amendment had been tabled which would weaken the carefully developed language on gender equality that had been agreed upon in several other resolutions over the previous two years. Changing the current wording, which already recognized the importance of parents and guardians, risked upsetting the carefully balanced compromise. His delegation would vote against the proposed amendment.

103. *At the request of the delegation of Senegal, a recorded vote was taken on the oral amendment proposed by the representative of Saint Lucia.*

In favour:

Afghanistan, Bahrain, Barbados, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Cameroon, China, Comoros, Congo, Democratic Republic of the Congo, Djibouti, Egypt, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Libya, Mauritania, Myanmar, Nauru, Nicaragua, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Somalia, Sudan, Syrian Arab Republic, United Arab

Emirates, United States of America, Yemen, Zimbabwe.

Against:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mexico, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, South Sudan, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Zambia.

Abstaining:

Algeria, Bangladesh, Bhutan, Ethiopia, Jordan, Kazakhstan, Kenya, Malawi, Maldives, Mauritius, Morocco, Nepal, Solomon Islands, Sri Lanka, Swaziland, Timor-Leste, Tuvalu, Uganda, United Republic of Tanzania, Viet Nam.

104. *The oral amendment was rejected by 99 votes to 45, with 20 abstentions.*

105. *Draft resolution A/C.3/72/L.15/Rev.1 was adopted.*

106. **Ms. Lewis** (Saint Lucia), speaking in explanation of vote, said that according to article 5 of the Convention on the Rights of the Child, States parties should respect the responsibilities, rights and duties of parents, or, where applicable, the members of the extended family or community, to provide guidance in the exercise by the child of the rights set out in the Convention. The formulation in paragraph 10 of the draft resolution had removed that very important caveat and relegated the integral role of parents and legal guardians to a partnership with legal caregivers, educators and health care providers. Parents and the family played an important role in guiding children and adolescents, defined by the United Nations Population Fund as persons over the age of 10. Saint Lucia therefore dissociated itself from paragraph 10.

107. **Ms. Ahmed** (Sudan) said that her delegation dissociated itself from paragraphs of the draft resolution that contained concepts that did not enjoy consensus, such as reproductive health.

108. **Ms. Simpson** (United States of America) said that the United States dissociated itself from paragraph 8 of the draft resolution as potentially promoting technology transfer that was not mutually agreed and voluntary. The United States was also disappointed by the reference to foreign occupation, which unnecessarily politicized the resolution, and reaffirmed its deep commitment to a comprehensive resolution to the Israeli-Palestinian conflict. The United States was disappointed that the draft resolution did not address the importance of youth policies and programmes related to the role of youth as partners in countering violent extremism.

109. The United States interpreted the references to obligations as applicable only to the extent that States had assumed such obligations. The United States was neither a party to the International Covenant on Economic, Social, and Cultural Rights nor to its Optional Protocol, and the rights contained therein were not justiciable in United States courts. Moreover, the United States disagreed with the draft resolution to the extent that it called on States to develop or strengthen specific curricula, educational programs, training or services, as educational matters in the United States were primarily determined at the state and local levels. The United States was disappointed that the draft resolution attributed labour market crises to climate change, which oversimplified the causal factors leading to such crises. While climate change could theoretically increase vulnerabilities, such impacts were not currently observable.

110. **Mr. Herrmann** (Observer for the Holy See) said that while his delegation welcomed the purpose and general intentions of the draft resolution, it lamented the lack of consensus around the promotion and protection of the human rights and development needs of youth migrants. Furthermore, it should be noted that the paragraph in question, paragraph 10, came from agreed language in a particular context in a specific declaration on a particular issue. That language had been taken out of context and placed in the draft resolution without the proper amendments or a sovereignty clause. For that reason, the Holy See wished to state some reservations on the concepts used in the draft resolution. It considered "sexual and reproductive health, health care and healthcare services" to apply to a holistic concept of health, and did not include abortion, or access to either

abortion or abortifacients. Regarding the term "comprehensive education" with respect to sexual and reproductive health, the Holy See reiterated the primary responsibility and prior rights of parents, including the right to religious freedom, in the education and upbringing of their children as enshrined in international instruments.

111. **Mr. Yesod** (Israel) said that his Government invested in its youth, and in particular had developed an extensive youth delegate programme at the Israeli mission to the United Nations. Although Israel supported most of the important youth issues discussed in the draft resolution, the text contained irrelevant and politicized language. Israel urged the facilitators and other delegations that sought to promote youth involvement to reflect on that point, and hoped that such harmful, politicized language would be omitted when the draft resolution was considered in the future.

112. **Mr. Alkadi** (Saudi Arabia), speaking on behalf of Egypt, Yemen, Iraq and Libya, said that youth made up more than half of the Saudi population, and were therefore taken into account in the creation of sustainable development policies and strategies. Given the crucial importance of youth, Saudi Arabia joined consensus on the draft resolution, but dissociated itself from paragraph 10, as it lacked reference to proper guidance from parents with respect to their children's education as set out in article 5 of the Convention on the Rights of the Child. Paragraph 10 should not have omitted that provision, given that it addressed adolescent boys and girls, a large number of whom were classified as children. Saudi Arabia would implement the paragraph in manner consistent with its national laws and its international obligations, primarily the Convention on the Rights of the Child.

113. **Mr. El Hacen** (Mauritania) said that his delegation had voted for the amendment to the draft resolution that had been proposed by Saint Lucia because the role of parents in guiding and educating their children was indisputable and could not be at the same level as other actors. Therefore, the language used in the draft resolution in paragraph 10 was inappropriate, and Mauritania dissociated itself from it and other concepts in the draft resolution that conflicted with the country's national laws.

The meeting rose at 1.05 p.m.